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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)	4:15-CR-6049-EFS
)	
Plaintiff,)	United States' Response to
)	Defendant's Motion to Reopen
v.)	Detention (ECF No. 568)
)	
JESE DAVID CARILLO CASILLAS,)	
)	
Defendant.)	
)	

Plaintiff, United States of America, by and through Joseph H. Harrington, Acting United States Attorney for the Eastern District of Washington, and Caitlin A. Baunsgard, Assistant United States Attorney for the Eastern District of Washington, submits this response to Defendant's Motion to Reopen Detention (ECF No. 568).

The Defendant is asking the Court to release him from custody for two reasons ECF No. 568. First, the Defendant asserts he was the victim of an "unprovoked" attack at the Benton County Jail, which required medical treatment. The United States Marshal Service ("USMS") has provided the United States with the Benton County Jail reports related to this incident. *See* Attachment "A". The reports were also provided to defense counsel. According to the reports, it appears the Defendant accused another inmate of stealing his commissary items, which resulted in a fight in the restroom. *See id.* The Defendant did suffer injuries related to this fight. There is no information to believe this is related to his instant federal case. The United States has requested a "Keep Separate" with the USMS, to prevent the two individuals from coming in contact with

United States' Response to Defendant's Motion to Reopen Detention - 1

1 one another again. Additionally, it appears the Defendant has received appropriate
2 medical care from the Benton County Jail. It does not appear release would be
3 appropriate on this basis.

4 Next, the Defendant requests release because he has secured a different residence
5 to be released to. However, the change in residence does not bely the underlying
6 concerns present at his initial detention hearing or overcome the presumption of detention
7 in this case. As noted in the Pre-Trial Services report (ECF No. 27), the Defendant is a
8 citizen of Mexico and is unlawfully present with an immigration detainer. He grew up in
9 Mexico, speaks Spanish, and has a knowledge of the Mexican culture – with his first
10 reported entry into the United States in 2003 at the age of 17. His parents and 4 siblings
11 all currently reside in Mexico. He has been deported previously and re-entered the
12 United States unlawfully. The Defendant also has a Mexican passport, which could
13 easily be reissued by the Mexican government at his request. Further, when a search
14 warrant was executed on his residence, the Defendant possessed a firearm under his
15 mattress. There was another firearm located in the bedroom occupied by his wife's uncle
16 (co-defendant Figueroa), who was charged, pled guilty, and has been sentenced related to
17 the delivery of 12 kilograms of controlled substances orchestrated by the Defendant. The
18 evidence in this case has shown the Defendant is a leader/organizer of a high-level,
19 international drug trafficking organization. If released, he is most certainly a flight risk to
20 avoid his immense sentencing exposure in this case.

21 The United States submits the Defendant has not overcome the presumption of
22 detention and there is no viable basis to disturb this Court's previous Order.

23 DATED November 22, 2017.

24 JOSEPH H. HARRINGTON
25 ACTING UNITED STATES ATTORNEY
26 s/Caitlin A. Baunsgard
27 Caitlin A. Baunsgard
28 Assistant United States Attorney

CERTIFICATION

I hereby certify that on November 22, 2017, I electronically filed the foregoing with the Clerk of the Court and counsel of record using the CM/ECF System.

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s/Caitlin A. Baunsgard

Caitlin A. Baunsgard

Assistant United States Attorney